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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

ROBERT HADEN KING, JR.,

Case No. CV08-6195-AA

Plaintiff,

v.

JOE E. CAPPS, et al.,

Defendants.

STATE OF OREGON)
 }
County of Marion) ss.

DECLARATION OF BRENDA J.
COUGHENOWER

I, Brenda J. Coughenower, being first duly sworn on oath, depose and say:

1. On Thursday, September 25, 2008 at approximately 1:00 p.m. PST, I called Mr. Simmons' office and spoke with Kathy who explained Mr. Simmons and his assistant were away from the office at trial in Salem, Oregon. We are unable to confer with Mr. Simmons on this motion.


BRENDA J. COUGHENOWER
Paralegal

CERTIFICATE OF SERVICE

I certify that on September 25, 2008, I served the foregoing DECLARATION OF BRENDA J. COUGHENOWER upon the parties hereto by the method indicated below, and addressed to the following:

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